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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/202,107	03/08/1999	ELJI MURAMATSU	9319S-000082	2484

7590 01/02/2004
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EXAMINER

NGUYEN, DUNG T

ART UNIT PAPER NUMBER

2871

DATE MAILED: 01/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/202,107

Applicant(s)

MURAMATSU ET AL.

Examiner

Dung Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,13,15-21,23-27 and 30-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,13,15-21,23-27,30-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 07/09/03.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Applicant's amendment dated 09/11/2003 has been received and entered.

Claims 1, 4, 5, 13, 15-21, 23-27 and 30-33 are now pending in the application.

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1, 4-5, 13, 15-18, 20-21, 23, 25-27 and 30-31 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Brewer, US Patent No. 5,289,301, in view of Yuda et al., JP 8-148313, as stated in the previous office action dated 06/09/2003.

Regarding the above claims, Brewer's figures 1-3 which disclose a display unit comprising:

- . a pair of substrates (2, 3);
- . a plurality of electrodes (4);
- . alignment layers (5);
- . a driving integrated circuit (IC)(10) formed on at least one of the pair of substrates (figure 3) to supply a first voltage to at least one of the plurality electrodes;
- . a resistance element (variable potentiometer 19 or 22) used for varying voltage for IC;
- . a capacitor (figure 8) inherently stabilizing the voltage imposed on the liquid crystal;
- . a first sealant member (8) formed between two substrates.

Although Brewer does not explicitly disclose the resistance element formed to prescribed pattern and having the same material (e.g., ITO) as electrode, Yuda et al. do disclose a

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variable potentiometer comprising resistance patterns (e.g., 2a, 2b) made by a conductive material (see figure 3). Therefore, it would have obvious to one skill in the art at the time of the invention was made to employ the Brewer's resistance having prescribed pattern as shown by Yuda et al. In order to decrease the number of terminals and components thus reducing the labor on the user side (see abstract). Furthermore, it would have been obvious to use an ITO material as a based material for a resistance pattern, so as it would have the same material as that of electrodes of the display unit because it is a common practice in the art to use ITO as a good conductivity for electrode and the use of one conventional material over another merely depends on the desire of the manufacturer and/or the availability and practicality of the material for the chosen manufacturing process.

3. Claims 19 and 24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Brewer, US Patent No. 5,289,301, in view of Yuda et al., JP 8-148313, further in view of Nonomura et al., US Patent No. 4,385,292, as stated in the previous office action dated 06/09/2003.

Regarding the above claims, the modification to Brewer discloses the claimed invention as described above except for a second sealant member formed outboard of the peripheral circuit. Nonomura et al. do disclose a second sealant member (63) can be formed outboard of the driving circuit (see figure 9). Therefore, it would have obvious to one skill in the art at the time of the invention was made to modify the Brewer's unit having a driving IC which disposed on at least one of substrates of the display unit sealed by the second sealant as shown by Nonomura et al. in order to protect a peripheral circuit in a display unit (see col. 9).

Response to Arguments

4. Applicant's arguments filed 09/11/2003 have been fully considered but they are not persuasive.

Applicant contends that neither Brewer nor Yuda teach or suggest a resistor element whose value may be set by partially removing the pattern of the resistance element as recited in Applicant's claimed invention (amendment, page 12-13). The Examiner is not convinced by this argument since the same is true of the Yuda et al. resistor. In particular, as a function of the potentiometer, when a brush 35 slit from point A to point B, it would cooperate with each resistance pattern (e.g., 2a, 2b). In other words, some resistance pattern will be removed or added in order to adjust the resistance value of the potentiometer (i.e., increase or decrease the resistance value). Therefore, the Applicant's resistor and the Yuda et al. resistor would be the same as well.

Accordingly, the rejection of the above claims stand.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 703-305-0423. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 703-305-3492. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

DN
12/29/2003

A handwritten signature in black ink, appearing to read 'Dung Nguyen', with a long horizontal flourish extending to the right.

Dung Nguyen
Patent Examiner
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